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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/712,380

11/14/2003

Adam M. Litt

007

9591

42067 7590 06/24/2008

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EXAMINER

LASTRA, DANIEL

ART UNIT

PAPER NUMBER

3688

MAIL DATE

DELIVERY MODE

06/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/712,380	Applicant(s) LITT ET AL.	
	Examiner DANIEL LASTRA	Art Unit 3688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 have been examined. Application 10/712,380 (METHOD FOR ADVERTISING AND SELLING PRODUCTS ONLINE) has a filing date 11/14/2003.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (US 2002/0036654) in view of Kensey (US 2001/0037253).

Claim 1, Evans teaches:

A method for advertising and selling products online, comprising:

a) providing to a customer an item information template for inputting information into an electronic information database (see paragraph 8);

b) prompting said customer via said template to enter item information into said database about at least one item for sale by said customer (see paragraph 9);

c) creating an electronic web page associated with one of said customer and said item (see paragraph 52);

d) displaying said item information on said web page (see paragraph 52);

Evans does not teach:

e) creating and providing said customer with an electronic address; and

f) assigning said electronic address to said web page so that said item information displayed on said web page is viewable when said electronic address is accessed, wherein said electronic address has a primary address and a secondary address, said primary address assigned to a main web page and said secondary address having at least one of the following properties: said secondary address is chosen at least in part by said customer; and said secondary address contains no more than fifteen characters. However, Kensey teaches that it is old and well known in the promotion art to create an advertisement, where said advertisement consists of a primary and a secondary address and where said secondary address refers to the unique name of a merchant that created said advertisement (see figure 1, item 16 "proxy (name) .com"). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Evans would publish advertisements in websites where said advertisements would consist of a primary and a secondary address and where said secondary address would refer to the unique name of a merchant that created said advertisement, as Kensey teaches that it is old and well known to do so.

Claim 2, Evans teaches:

encouraging said customer to advertise said electronic address in a non-electronic medium (see paragraph 52).

Claim 3, Evans teaches:

wherein said non-electronic medium comprises one of a flyer, a newspaper advertisement, and a magazine advertisement (See paragraph 59).

Claim 4, Evans teaches:

wherein said non-electronic medium comprises a classified advertisement in a newspaper (see paragraph 59).

Claim 5, Evans teaches:

advertising said electronic address in a non-electronic medium (see paragraph 59).

Claim 6, Evans teaches:

querying said customer as to whether said customer desires to submit a classified advertisement to a newspaper and, if so, automatically submitting a classified advertisement request to said newspaper on behalf of said customer (see paragraph 59).

Claim 7, Evans fails to teach:

wherein said secondary address is chosen at least in part by said customer and approved by said customer. However, the same argument made in claim 1 regarding this missing limitation is also made in claim 7.

Claim 8, Evans does not teach:

wherein said secondary address contains no more than 10 characters. However, the same argument made in claim 1 regarding this missing limitation is also made in claim 7.

Claim 9, Evans teaches:

wherein said item information includes one of a digital photograph and a digital video of said item for sale (see paragraph 59).

Claim 10, Evans teaches:

providing said customer with an option of creating a flyer based on said item information, wherein if said customer chooses said option, said item information is automatically formatted for a flyer, a flyer is automatically created, and said customer is enabled to print said flyer (see paragraph 59).

Claim 11, Evans teaches:

providing said customer with a one-click option of creating said flyer (see paragraph 59).

Claim 12, Evans teaches:

wherein said web page is associated with said customer, wherein said displaying said item information on said web page comprises displaying only said item information on said web page (see paragraph 52).

Claim 13, Evans teaches:

wherein said web page is associated with said item, wherein said item information is about exactly one item for sale by said customer (see paragraph 52).

Claim 14, Evans fails to teach:

wherein said primary address includes a designation of a geographical region, wherein said geographical region includes one of a city and a state. However, Kensey teaches an electronic address, where a primary address of said electronic address refers to a designation of a geographical region (see paragraph 29). Therefore, the same rejection made in claim 1 regarding this missing limitation is also made in claim 14.

Claim 15, Evans teaches:

charging said customer a price for performing steps a) - f), further comprising providing to said customer a comparison of: an estimated cost of running a long classified advertisement in a local newspaper containing information comparable to said item information; and a sum of said price and an estimated cost of running a short classified advertisement in said local newspaper containing said electronic address and substantially less information than said item information (see paragraph 54).

Claim 16, Evans does not teach:

wherein said web page is associated with said main web page, further comprising providing a search engine configured to allow customers to search a plurality of web pages associated with said main web page based on at least one of the following: location of an item for sale; type of item for sale; and price of an item for sale. However, Official Notice is taken that it is old and well known in the computer art to search for information on the Internet. It would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Evans would allow users to search for ads on the Internet, as it is old and well known to do so.

Claim 17, Evans teaches:

providing to a different customer a wanted item information template for inputting information into said database; prompting said different customer via said wanted item information template to enter wanted item information into said database about at least one item wanted for purchase by said different customer; and if said item information

matches said wanted item information, notifying said different customer about said item information (see paragraph 59).

Claim 18, Evans teaches:

querying said different customer as to whether said different customer desires to submit a classified advertisement to a newspaper regarding said wanted item information and, if so, automatically submitting a classified advertisement request to said newspaper on behalf of said different customer (see paragraph 59) but does not expressly teach said classified advertisement containing at least one of said primary address and said secondary address. However, the same rejection made in claim 1 regarding this missing limitation is also made in claim 18.

Claim 19, Evans teaches:

prompting said customer to enter e-mail contact information of potential buyers into said database (see paragraph 52).

Claim 20, Evans does not teach:

prompting potential purchasers of said at least one item for sale to submit bid information, and at least one of: displaying said bid information with said item information on said web page; and notifying said customer of said bid information. However, Official Notice is taken that it is old and well known in the computer art to bid for items on the Internet. It would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Evans would allow users to bid for items on the Internet, as it is old and well known to do so.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720 and fax 571-273-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The official Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DANIEL LASTRA/
Art Unit 3688
June 21, 2008